

**TRANSMITTAL  
FORM**

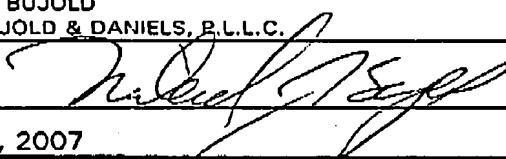
(to be used for all correspondence after initial filing)

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|--|---|
| Application Number                       | 10/531,342  |
| Filing Date                              | with an effective filing date of October 16, 2003 |
| First Named Inventor                     | Josef BADER                                       |
| Group Art Unit                           | 2832  |
| Examiner Name                            | Kyung S. LEE                                      |
| Total No. of Pages in this Submission: 3 | Attorney Docket Number ZAHFRI P737US              |

**RECEIVED****CENTRAL FAX CENTER****JUN 26 2007****ENCLOSURES (check all that apply)**

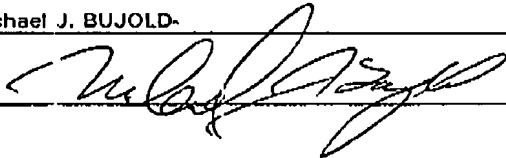
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| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee attached<br><input checked="" type="checkbox"/> Response ..... [2]<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request (in Duplicate)<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Part/s Incomplete Application<br><br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment papers (for an Application)<br><input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition (DELETED - no longer useful)<br><input type="checkbox"/> To Convert a Provisional Petition<br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Small Entity Statement<br><input type="checkbox"/> Request for Refund | <input type="checkbox"/> After Allowance Communication to Group<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input type="checkbox"/> Additional Enclosure(s) (please identify below): |
|---|---|---|

**REMARKS****SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

|                         |  |  |
|-------------------------|--|--|
| Firm or Individual Name | Michael J. BUJOLD<br>DAVIS BUJOLD & DANIELS, P.L.L.C.                                | Reg. No. 32,018<br>CUSTOMER NO. 020210 |
| Signature               |  |  |
| Date                    | June 26, 2007  |  |

**CERTIFICATE OF TRANSMISSION**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO on June 26, 2007.

|                           |   |
|---------------------------|---|
| Type or printed name:     | Michael J. BUJOLD   |
| Signature                 |  |
| Date: June 26, 2007 (lfb) |   |

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6/26/07

PATENT APPLICATION

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Josef BADER  
Serial no. : 10/531,342  
Filed : with an effective filing date of October 16, 2003  
For : SWITCHING DEVICE  
Group Art Unit : 2832  
Examiner : Kyung S. LEE  
Docket : ZAHFRI P737US

The Commissioner for Patents  
U.S. Patent & Trademark Office  
P. O. Box 1450  
Alexandria, VA 22313-1450

## RESPONSE

Dear Sir:

This response is being filed in reply to the official action mailed June 15, 2007. In that action, the Examiner requires an election of species, under 35 U.S.C. § 121, between one of the following alleged patentably distinct species of the invention:

- I. The synchronized switching element of FIG. 2; or
- II. The dog clutch engagement without a synchronization element of FIG. 3.

Reconsideration of this requirement for election of species is respectfully requested in view of the following remarks.

The Applicant believes that the present invention contains various embodiments of a single inventive concept. Both species contain the features presently recited in claim 13 which is currently generic to both of the species. Moreover, the Applicant believes that claim 13 is allowable and consequently both species of the invention should be prosecuted in one and the same application for efficiency reasons. It is respectfully submitted that all of the species of the invention represent similar ways of obtaining the same desired results disclosed within this application.

Notwithstanding the above, in order to fulfill the Examiner's request, the Applicant provisionally elects, with traverse, to prosecute the species of the claimed invention shown in Figure 2 of the drawings. The Applicant also provisionally elects, with traverse, claims 13-19, 22 and 23 which are readable on the elected species to be prosecuted on the merits.

The Applicant does not waive any rights with respect to the non-elected species and does not intend to abandon that subject matter. If the Examiner makes the election requirement final, the Applicant respectfully requests that the non-elected species be withdrawn from further consideration but remain in this application subject to reinstatement, in the event that a generic claim is allowed, or for possible filing of a divisional application(s).

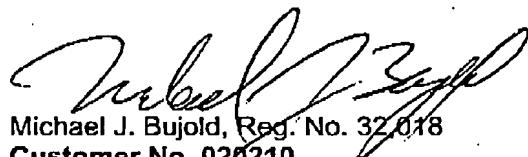
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10/531,342

In view of the foregoing, it is respectfully submitted that the outstanding election of species requirement should be withdrawn and examination of all claims pending in this application, on the merits, is respectfully requested at the present time.

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

Respectfully submitted,



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